



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,254	03/24/2004	Ernest Eisenhardt Bergmann	CIRC.014

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08/04/2004 EFLORES 00000113 500238 10808254

01 FC:2001 385.00 DA  
 02 FC:2051 65.00 DA  
 03 FC:2202 72.00 DA



CONFIRMATION NO. 4224

## FORMALITIES LETTER



\*OC000000012878490\*

Date Mailed: 06/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$72 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$522** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$72**

- \$72 for 8 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

T. Ketsala

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**CIRC.014**

In Re Application Of: **Ernest E. Bergmann et al.**

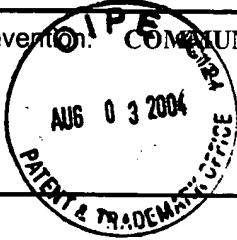
Serial No.  
**10/808,254**

Filing Date  
**3/24/2004**

Examiner  
**UNKNOWN**

Group Art Unit  
**UNKNOWN**

Invention: **COMMUNICATION TESTING APPARATUS AND METHOD OF USE**



Mail Stop Missing Parts

TO THE COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
June 7, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**CIRC.014**

In Re Application Of: **Ernest E. Bergmann et al.**

Serial No.  
**10/808,254**

Filing Date  
**3/24/2004**

Examiner  
**UNKNOWN**

Group Art Unit  
**UNKNOWN**

Invention: **COMMUNICATION TESTING APPARATUS AND METHOD OF USE**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$385.00

☐ Design application filing fee                     

☒ Total number of independent claims = 2                     

☒ Total number of claims = 28 \$72.00

☐ Multiple dependent claims                     

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor                     

☐ Fee for processing an application filed with a non-English language specification                     

☐ Fee for processing and retention of application                     

Total completion of application fees \$522.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from:                      *Date*      until:                      *Date*

Total time extension fees                     

Total fees due \$522.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**CIRC.014**

In Re Application Of: **Ernest E. Bergmann et al.**

Serial No.  
**10/808,254**

Filing Date  
**3/24/2004**

Examiner  
**UNKNOWN**

Group Art Unit  
**UNKNOWN**

Invention: **COMMUNICATION TESTING APPARATUS AND METHOD OF USE**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$522.00** is to be paid as follows:

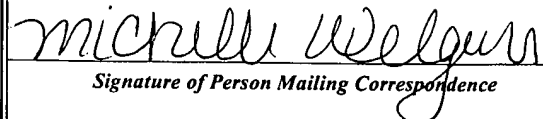
- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0238**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0238**

  
*Signature*

Dated: **July 30, 2004**

**William S. Francos (Reg. No. 38,456)  
VOLENTINE FRANCOS, P.L.L.C.  
One Freedom Square  
Suite 1260  
11951 Freedom Drive  
Reston, VA 20190  
(703) 715-0870**

I certify that this document and fee is being deposited  
on **July 30, 2004** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

  
*Signature of Person Mailing Correspondence*

**Michelle Welgoss**

*Typed or Printed Name of Person Mailing Correspondence*

CC: